

MINUTES
MISSISSIPPI STATE BOARD OF FUNERAL SERVICE
BOARD MEETING
4.1.2019

CALL TO ORDER

The meeting was called to order @ 9:16 am by Jeffrey O'Keefe, Board Chairman, at the Board's office, located at 3010 Lakeland Cove Ste W, Flowood, Mississippi.

MEMBERS PRESENT

Dianne Biddle
Jeffrey O'Keefe
Luzern Dillon
David Ray
Max Wells

MEMBERS ABSENT

Hugh Strebeck

OTHERS PRESENT

Della Smith, Executive Director
Gloria Green, Board Attorney
Kim Bedford
Keith Dean
Henry Glaze, Inspector/Investigator
Don Blackwell, Inspector/Investigator
Larry Duncan, Inspector/Investigator
Other interested parties

MINUTES APPROVAL

Mr. Luzern Dillon made the motion to accept the Minutes from the January 14, 2019 meeting. Ms. Dianne Biddle seconded the motion. Motion carried. Vote for: Biddle, Ray, Dillon and O'Keefe
Against: none; Absent: Strebeck

SPECIAL PRESENTATION

Mr. Jeffrey O'Keefe, Board Chairman, presented certificates of appreciation to Dianne Biddle and Hugh Strebeck for their service to the Board. Ms. Biddle's and Mr. Strebeck's term will end on June 30, 2019.

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Mr. O'Keefe also introduced the incoming Board members: Samuel "Sammie" Reed, District 3; Kim Bedford, District 3; Keith Dean, District 3; and Max Wells, Public Member At Large.

Mr. Dillon made a motion to amend the order of the agenda to approve licenses for individuals that were from out of town to receive their license. Ms. Dianne Biddle seconded the motion and it passed unanimously.

LICENSING

Mr. David Ray made the motion to approve all licenses issued. Ms. Dianne Biddle seconded the motion and it passed unanimously.

FINE DISPUTES

Curtis Funeral System (FE-0304) The Board considered Funeral Home's request to pay inspection fine from 12.17.2018 in installments.

Mr. Luzern Dillon made a motion to allow the fine to be paid in eight (8) installments of \$150. Mr. David Ray seconded the motion and it passed unanimously.

Henderson & Sons Funeral Home (FE-0316) Tabled till next meeting

Benevolent Aid and Burial Society (FE-0362) The Board considered Funeral Home's request to decrease fine to a warning. Ms. Dianne Biddle motioned for the fine to be converted to a warning. Mr. Luzern Dillon seconded the motion and it passed unanimously.

APPLICATION REVIEW

Joyce Rush - The board considered applicant's request for credit of service and time from previous apprenticeship (15-FDRT-9499). Ms. Dianne Biddle motioned to grant credit for 75% of services and time. Mr. Luzern Dillon seconded the motion and it passed unanimously.

Hollie Nealy Jr - The board considered applicant's request for credit of service and time from previous apprenticeship (15-FDRT-9514). Ms. Dianne Biddle motioned to grant credit for 75% of services and time. Mr. David Ray seconded the motion and it passed unanimously.

Scott Woodruff - The board considered applicant's request for credit of service and time from previous apprenticeship (15-FDRT-9532). Mr. David Ray motioned to grant credit for 75% of services and time. Mr. Luzern Dillon seconded the motion and it passed unanimously.

COMPLAINTS

1072012809 & 922582291 Ms. Dianne Biddle made a motion to go into closed determination. Mr. Dillon seconded the motion and it passed unanimously.

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Mr. David Ray made a motion to go into Executive Session to consider complaints 1072012809 & 922582291 which deliberation could lead to an appeal of the Board's order. Mr. Maxwell Wells seconded the motion and it passed unanimously.

Executive Session

Based upon the forgoing Findings of Fact and Conclusions of the Law the Board makes the following adjudication:

1. The Respondent did violate Section 73-11-57 (1)(g).
2. The Respondent did violate Section 73-11-57 (p)(iii).
3. The Respondent did violate Section 73-11-57 (p)(iv).
4. The Respondent did violate Section 73-11-57 (h).

Mr. Luzern Dillon made a motion to suspend the respondent's funeral service license for 12 months with eligibility to seek reinstatement and a \$2000 fine. Mr. David Ray seconded the motion and it passed unanimously.

Mr. Luzern Dillon made a motion to come out of Executive Session. Ms. Dianne Biddle seconded the motion and it passed unanimously.

The Board resumed in open session and attendees were advised of the Board's decision.

1072102801 The Board considered the facts of the complaint. Mr. David Ray made a motion to impose a \$1500 fine on funeral director license FD-0016 and to suspend the license for six (6) months or until the licensee demonstrates compliance with Vital Records. Ms. Dianne Biddle seconded the motion and it passed unanimously.

1072102805 Recommendation for hearing. Mrs. Dianne Biddle motioned to schedule for hearing at the next Board meeting. Mr. Luzern Dillon seconded the motion and it passed unanimously.

1072102812 Recommendation to dismiss. Mr. David Ray motioned to dismiss. Mrs. Dianne Biddle seconded the motion and it passed unanimously.

23922184 Recommendation to dismiss. Mrs. Dianne Biddle motioned to dismiss. Mr. Luzern Dillon seconded the motion and it passed unanimously.

239221296 Recommendation to dismiss. Mr. Luzern Dillon motioned to dismiss. Mr. David Ray seconded the motion and it passed unanimously.

909980068 Withdrawn by complainant.

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269638915 Recommendation to dismiss. Mr. David Ray motioned to dismiss. Mrs. Dianne Biddle seconded the motion and it passed unanimously.

61012168 Recommendation to dismiss. Mr. David Ray motioned to dismiss. Mr. Maxwell Wells seconded the motion and it passed unanimously.

352591850 Recommendation to dismiss. Mr. Luzern Dillon motioned to dismiss. Mr. David Ray seconded the motion and it passed unanimously.

689008701 Recommendation to dismiss. Mr. David Ray motioned to dismiss. Ms. Dianne Biddle seconded the motion and it passed unanimously.

794140745 Withdrawn by complainant.

7941401733 Withdrawn by complainant.

1072102813 Recommendation to dismiss. Mr. David Ray motioned to dismiss. Ms. Dianne Biddle seconded the motion and it passed unanimously.

1072102814 Recommendation to dismiss. Mr. Luzern Dillon motioned to dismiss. Mr. Maxwell Wells seconded the motion and it passed unanimously.

1072102816 Recommendation to dismiss. Mr. David Ray motioned to dismiss. Mr. Maxwell Wells seconded the motion and it passed unanimously.

579768449 Recommendation to dismiss. Mr. Luzern Dillon motioned to dismiss. Mr. Maxwell Wells seconded the motion and it passed unanimously.

OLD BUSINESS

Funeral Director exam - Board staff provided update on status of exam. Next exam writing meeting is scheduled for April 18th, 2019.

Heritage Cremations - No updates. The Board made attempts to get outside complaints.

NEW BUSINESS

Financial Report - Board staff presented a summary of financials as of February 28, 2019.

Open Complaints - Board staff presented a summary of open complaints, 58 open complaints, oldest date 11/2016. Board staff also advised that on average the office receives 3 to 4 complaints a month.

Inspector Contracts - Motion was made by Mr. David Ray to renew the Inspector contracts. Ms. Dianne Biddle seconded the motion and it passed unanimously.

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Status of Legislative Bills - Board staff gave status on Funeral service related Bills during 2019 Legislative Session.

Dignity Room - Board staff presented a citizen concern for the need of a Dignity Room. The Board considered the request but determined at this time the current regulation is sufficient.

Unlicensed Owner - Board staff discussed the observation through reviewing applications and observation made during inspections that it appears unlicensed owners are working as licensees.

ADJOURNMENT

Mr. Luzern Dillon made the motion to adjourn.

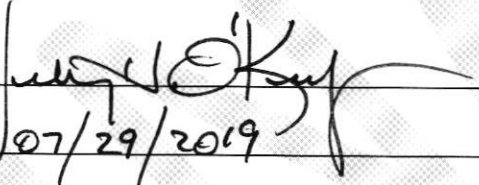
Ms. Dianne Biddle seconded the motion.

The motion carried unanimously.

The meeting was adjourned at 12:13 p.m.

Approval Signature: _____

Date: _____


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